

**IN THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-25 (canceled)

Claim 26 (currently amended): A breathable shoe comprising:

an assembly which wraps around a foot insertion region and comprises a breathable upper;

at least one membrane including a material which is waterproof and breathable, connected with said breathable upper and associated with said assembly in a downward region;

a sole including perforated elastomer, joined to said breathable upper and sealed perimetrically to said at least one membrane;

a protective element including a material which is resistant to hydrolysis, water-repellent, breathable or perforated, positioned below said at least one membrane in a space between an upper part and an internal part of said sole,

wherein an edge of said at least one membrane is folded around an edge of said protective element.

Claim 27 (previously presented): The shoe according to claim 26, wherein said assembly includes a breathable or perforated insole which is sewn to edges of said breathable upper according to a Strobel or ideal welt manufacturing method so as to form a sack.

Claims 28-29 (canceled)

Claim 30 (previously presented): The shoe according to claim 26, wherein said sole includes a block of elastomer with through holes through its thickness, is joined to said breathable upper along a perimetric band, and is sealed perimetrically to said at least one membrane.

Claims 31-33 (canceled)

Claim 34 (previously presented): The shoe according to one of claim 26, wherein said sole is joined to said breathable upper by gluing with hydrolysis-resistant adhesives or by high-frequency welding.

Claim 35 (previously presented): The shoe according to claim 30, wherein said sole is joined to said breathable upper by direct injection in a mold.

Claims 36-38 (canceled)

Claim 39 (previously presented): The shoe according to claim 26, wherein said protective element includes a material which is water-repellent and capable of drying rapidly.

Claim 40 (canceled)

Claim 41 (previously presented): The shoe according to claim 26, wherein said protective element includes Kevlar fabric or filtering fabric.

Claim 42 (previously presented): The shoe according to claim 26, wherein said breathable upper is associated with a breathable or perforated lining by spot gluing.

Claim 43 (previously presented): The shoe according to claim 26, wherein said membrane is coupled to a supporting mesh including synthetic material.

Claim 44 (currently amended): A method for manufacturing a breathable shoe comprising ~~the steps of~~:

providing an upper assembly having a breathable upper;

providing a membrane including a material which is waterproof and breathable and connected with the breathable upper;

providing a sole including perforated elastomer;

providing a protective element including a material which is resistant to hydrolysis, water-repellent, breathable or perforated, at a position below said membrane in a space between an upper part and an internal part of said sole; and

mutually attaching said upper assembly, said membrane, and said sole such that said membrane is positioned between said upper assembly and said sole and said sole is sealed perimetrically to said membrane, in a manner to prevent moisture from entering into said upper assembly from said sole through said membrane, and to permit moisture to leave an inside of said upper assembly through said membrane and through said sole,

wherein said providing of the membrane includes folding an edge of the membrane around an edge of the protective element.

Claim 45 (currently amended): The method of claim 44, wherein said mutually attaching includes ~~further comprising: initially~~ attaching said membrane to said upper assembly so that said upper assembly is a unitary upper assembly including said membrane[[:]] and ~~subsequently~~ attaching said unitary upper assembly to said sole.

Claim 46 (currently amended): The method of claim 45, wherein said attaching of said membrane includes ~~further comprising~~ attaching said membrane to said upper assembly by spot gluing.

Claim 47 (currently amended): The method of claim 46, wherein said breathable upper includes ~~further comprising: providing~~ a breathable insole and an upper[[:]], and said attaching of said membrane includes attaching said breathable insole to said upper by means of stitches[[:]] and attaching said membrane to said insole.

Claims 48-49 (canceled)

Claim 50 (currently amended): The method of claim 44, wherein said mutually attaching includes ~~further comprising: initially~~ attaching said membrane to said sole so that said sole is a unitary sole assembly including said membrane[[:]] and ~~subsequently~~ attaching said unitary sole assembly to said upper assembly.